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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/720,928	11/24/2003	William Jackson Bushnell	Bushnell 25-26 (13436.287	5246

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EXAMINER
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PHAN, HUY Q

ART UNIT	PAPER NUMBER
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2617

DATE MAILED: 08/30/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/720,928

Applicant(s)

BUSHNELL ET AL.

Examiner

Huy Q. Phan

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 21 July 2006.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 07/21/2006 has been entered.

### ***Response to Amendment***

2. This Office Action is in response to Amendment filed on date: 06/15/2006.  
Claims 1-8 are still pending.

### ***Response to Arguments***

3. Applicant's arguments with respect to claims 1-8 have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the

applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-8 are rejected under 35 U.S.C. 102(e) as being anticipated by Robbins (US-2004/0072593).

Regarding claim 1, Robbins discloses an interoperability system (fig. 2, 134 and [0077]) connected to an enterprise communication network (fig. 2, local network 139) and a public communication network (fig. 2, cellular network 41) for providing communication services to users' wireless station sets (fig. 2, 130 and 154) which are located in the coverage area of a one of said enterprise communication network and said public communication network (fig. 2 and its description), comprising:

presence server means (fig. 2, 134 and [0077]) for storing user presence data for a user wireless station set (described as "the soft switch 134 registers the subscriber device's presence in memory", see [0100]), comprising:

location means ("the access session and mobility manager 174 within the soft switch 134 tracks the location of the dual mode subscriber device 130" [0098]) for identifying a last determined location of said users wireless station set in said enterprise communication network and said public communication network ([0098]-[0100]);

device status means ("The soft switch 134 checks the call processing information associated with the dual mode subscriber device 130 such as his user defined settings as well as registration information" see [0135]) for identifying a present busy/idle status of said user wireless station set ("he is outside of the coverage area of the WLAN" inherently interpreted as the wireless device is not available);

information sharing means (fig. 2, 134 and [0077]) for exchanging said user presence data with said enterprise communication network and said public communication network ([0061]-[0070]);

call coverage means (fig. 2, 134 and [0077]), responsive to receipt of an incoming call directed to a user's wireless station set, for transmitting a user presence server means ([0061]-[0070] and [0134]-[0135]); and

wherein said presence server means is responsive to receipt of said user presence inquiry for returning user location and status data to said coverage means ([0134]-[0135]) to enable an attendant ("Marie", see [0135]) at said call coverage means to determine the present location of said user ("The soft switch 134 checks... registration information" see [0135]) and the busy/idle status of said user wireless station set ("The soft switch 134 checks... his user defined settings... he is outside of the coverage area of the WLAN" inherently interpreted as the wireless device is not available).

Regarding claim 2, Robbins discloses the interoperability system of claim 1 wherein said enterprise communication network and said public communication network each comprise at least one cell site (fig. 2, AP 132 and BS 144), said location means comprises: location data update means (described as "the soft switch 134 registers the subscriber device's presence in memory", see [0100]), responsive to user location data received from a one of said enterprise communication network and said public communication network ("The soft switch 134 checks the call processing information

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associated with the dual mode subscriber device 130 such as his user defined settings as well as registration information" see [0135]), for recording present location data identifying a one of said at least one cell site which presently serves said user wireless station set ([0098]-[0100]).

Regarding claim 3, Robbins discloses the interoperability system of claim 1 wherein said presence server means further comprises: availability means for storing data indicative of availability of said user wireless station set for communication ("the soft switch 134 reviews the call processing information associated with the dual mode subscriber device 130 such as his user defined settings", see [0134]).

Regarding claim 4, Robbins discloses the interoperability system of claim 3 wherein said information sharing means comprises: status update means ("The soft switch 134 checks the call processing information associated with the dual mode subscriber device 130 such as his user defined settings as well as registration information" see [0135]), responsive to receipt of an inquiry from said enterprise communication network for providing said user location data, busy/idle status and availability data ("the soft switch 134 reviews the call processing information associated with the dual mode subscriber device 130 such as his user defined settings", see [0134]) to determine whether said public communication network is capable of extending a communication connection from said enterprise communication network to said user wireless station set ([0139]-[0145]).

Regarding claim 5, Robbins discloses a method of providing service interoperability (fig. 2, 134 and [0077]) in both an enterprise communication network (fig. 2, local network 139) and a public communication network (fig. 2, cellular network 41) for providing communication services to users' wireless station sets (fig. 2, 130 and 154) which are located in the coverage area of a one of said enterprise communication network and said public communication network (fig. 2 and its description), comprising:

storing user presence data for a user wireless station set in a presence server (described as "the soft switch 134 registers the subscriber device's presence in memory", see [0100]), comprising:

identifying a last determined location of said user wireless station set in said enterprise communication network and said public communication network ("the access session and mobility manager 174 within the soft switch 134 tracks the location of the dual mode subscriber device 130" [0098]);

identifying a present busy/idle status of said user wireless station set ("he is outside of the coverage area of the WLAN" inherently interpreted as the wireless device is not available);

exchanging said user presence data with said enterprise communication network and said public communication network ([0063]) to extend the wireless services provided in the enterprise communication network and the public communication network based on said presence data ([0061]-[0070]);

transmitting, from a call coverage apparatus in response to receipt of an incoming call directed to a user's wireless station set, a user presence server ([0134]-[0135]); and

wherein said presence server means is responsive to receipt of said user presence inquiry for returning user location and status data to said coverage apparatus ([0134]-[0135]) to enable an attendant ("Marie", see [0135]) at said call coverage apparatus to determine the present location of said user ("The soft switch 134 checks... registration information" see [0135]) and the busy/idle status of said user wireless station set ("The soft switch 134 checks... his user defined settings... he is outside of the coverage area of the WLAN" inherently interpreted as the wireless device is not available).

Regarding claim 6, Robbins discloses the method of claim 5 wherein said enterprise communication network and said public communication network each comprise at least one cell site (fig. 2, AP 132 and BS 144), said step of identifying comprises: recording, in response to user location data received from a one of said enterprise communication network and said public communication network (described as "the soft switch 134 registers the subscriber device's presence in memory", see [0100]), present location data identifying a one of said at least one cell site ("The soft switch 134 checks the call processing information associated with the dual mode subscriber device 130 such as his user defined settings as well as registration information" see [0135]) which presently serves said user wireless station set ([0098]-



[0100]).

Regarding claim 7, Robbins discloses the method of claim 5 wherein said step of storing further comprises: storing data indicative of availability of said user wireless station set for communication ("the soft switch 134 reviews the call processing information associated with the dual mode subscriber device 130 such as his user defined settings", see [0134]).

Regarding claim 8, Robbins discloses the method of claim 7 wherein said step of exchanging comprises: recording (described as "the soft switch 134 registers the subscriber device's presence in memory", see [0100]), in response to receipt of an inquiry from said enterprise communication network for providing said user location data , busy/idle status and availability data ("The soft switch 134 checks the call processing information associated with the dual mode subscriber device 130 such as his user defined settings as well as registration information" see [0135]) to determine whether said public communication network is capable of extending a communication connection from said enterprise communication network to said user wireless station set ([0139]-[0145]).


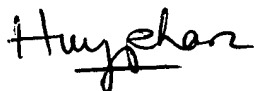
### ***Conclusion***

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5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Huy Q Phan whose telephone number is 571-272-7924. The examiner can normally be reached on 8AM-6PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, George Eng can be reached on 571-272-7495. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



GEORGE ENG  
SUPERVISORY PATENT EXAMINER

Examiner: Phan, Huy Q.

AU: 2617

Date: 08/21/2006